

**RIM ROCK MUTUAL WATER COMPANY**

**Rim Rock Rd  
Nipomo, CA 93444**



July 20, 2016

Mr. Brian Pedrotti, Project Manager  
Planning & Bldg. Dept.  
County Government Center,  
1055 Monterey, Rm 200  
San Luis Obispo, CA 93408

Subject: Proposed Laetitia Project

Dear Mr. Pedrotti:

Our community water system service area is located next to the proposed project and serves 25 property owners. We are in a very water deficient area which is why we do not have 25 individual wells and are forced to form a community system.

Our water source has been declining. According to a report from our geologist (Cleath) back in 2008, the water level in our main well had dropped 54 feet since 1991. At that time he said if the declining trend continued we would be dry within 20 to 25 years.

To update you on our present situation suffice it to say we are in dire straits much sooner than forecast. At the end of May of this year our well stopped producing water. We installed a smaller pump and dropped it to 527' (total well depth is 538). Static level at that time was 301'. After 3 hours of pumping the level dropped to 451'. On July 14 the static level was 319', a drop of 18' in six weeks. As of July 1 our neighbors', located between Rim Rock Rd and Dana Foothill Rd to the northeast of us, well stopped producing and they are currently hauling water.

To allege, as Laetitia has, that there is plenty of water is disingenuous at best. Please disregard their absurd allegations they can safely withdraw 20 to 25% more water. Consider the on the ground realities of dry wells and declining water levels, not Laetitia's optimistic assumptions.

Our Board of Supervisors should be more concerned with the health and well-being of current residents rather than the allure of more tax income.

Respectively submitted

Eric E. Elder - President, Rim Rock Mutual Water Co

A handwritten signature in blue ink, appearing to read 'Eric E. Elder', written over the printed name.

Cell: (805) 441-1391

Email: ericeelder@aol.com

James T. Toomey  
161 Jovita Place  
Nipomo, CA 93444



Via E-mail and U.S. Mail

Brian Pedrotti  
Project Manager  
San Luis Obispo County, Dept. of Planning & Building  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408

Re: Appeal of Laetitia Agricultural Cluster

Dear Mr. Pedrotti:

I take issue with several statements contained in the May 2, 2016 letter to you from the applicant's legal counsel, Mona G. Ebrahimi and would like to submit the following for the record. She states all of the experts consulted regarding the adequacy of the Project's water supply agree there is adequate water. The following link is to a report from Paul Sorenson of Fugro West who the County engaged to do a peer review of Cleath Harris Geologist's (CHG) work. This peer review differed significantly from the findings and conclusions of CHG and creates considerable doubt about the adequacy and sustainability of the proposed water supply.

<http://www.slocounty.ca.gov/Assets/PL/Draft+EIR+Notice+of+Availability/2008/Laetitia+Water+Studies/Water+peer+review+Fugro+4-23-09.pdf>

For an unknown but suspicious reason this Peer Report was not included in the FEIR but rather only listed as a reference. Fugro did another Peer Review in July 2009 because of the substitution of wells 14 & 15 for wells 12 & 13 but I am unable to locate a link to it. As it is the duty of the decision makers to consider all of the information in their deliberations, not just that spoon-fed to them by the applicant, I implore you to read this Peer Review.

Although the EIR concludes that the Project will not result in *any* significant impacts on water resources the letter from Mike McClure to you dated June 9, 2016 documents otherwise. Here is a link to his letter.

[http://www.slocounty.ca.gov/Assets/PL/EIR/2013/Laetitia/2015+FEIR/McClure+letter+dated+June+9\\$!2c+2016.pdf](http://www.slocounty.ca.gov/Assets/PL/EIR/2013/Laetitia/2015+FEIR/McClure+letter+dated+June+9$!2c+2016.pdf)

As to the County's CEQA consultant, Ms. Scott, remarks about the adequacy of the Project's water, these must be disregarded as she is not an expert. Frankly, I value the numerous statements of nearby residents with dry wells as more credible.

Chairman Campbell capsulized the severity of the water problem quite well when he noted apparently there was adequate water for 102 lots but with the elimination of well 11 there was not adequate water for 83 lots. That comment clearly demonstrates the fickle nature of the water supply.




The FEIR guardedly concluded there may be adequate water contingent on a number of mitigations including the development of a Water Master Plan including a Drought Water Management Program. Restrictions are also placed on when wells may be pumped and their yields as well as on indoor and outdoor water use.

In addition to an extensive list of mitigations the County's Hydrogeologist also made the following cautionary statements at the October 29, 2015 Planning Commission meeting.

1. Precise prediction of sustainable yield is not possible, particularly for fractured bedrock wells.
2. Long-term yields from wells producing from bedrock aquifers are commonly less than short-term yields.
3. Increased production from wells 14 & 15 would deplete water in storage and based on declining trends may not be sustainable for more than six to eighteen months.
4. Recharge to bedrock aquifers is a slow diffuse process. Accordingly, drought can take several years to influence well yields, and recovery of groundwater can also take years.
5. Favorable long-term production records are available for wells in the Obispo formation at Laetitia, but no long-term production records are available for wells such as 14 & 15 in the Monterey formation.

Please note that CHG use of the term "drought buffer" is but a euphemism for mining of the aquifer, that is, pumping it at a rate that exceeds recharge. This is a violation of CEQA Appendix G, Section VIII (b) which states in pertinent part "Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels."

Increase pumping since 1981, primarily due to a tenfold increase in the size of Laetitia's vineyard, has already dried up Los Berros Creek. Long term records of wells in the area document a general decline in groundwater levels. We are in our fifth year of exceptional drought and no one can say when, or if, it will abate. Remember these wells are the sole source of water for homes to be constructed for hundreds of people; they must be sustainable for decades. A fifty percent confidence level is not adequate.



James T. Toomey

**LAETITIA VINEYARD & WINERY**

1124 Tower Road  
Beverly Hills, CA 90210  
(310) 351-1555 Cell  
(310) 273-8232 Office  
sun9155@aol.com/johnjanneck@mac.com

July 8, 2016

Aileen Loe, Deputy District Director  
California Department of Transportation  
50 Higuera Street  
San Luis Obispo, CA 93401

**Via Email and Federal Express**

Re: Laetitia Project

Dear Ms. Loe:

Thank you for your time in meeting with Supervisor Debbie Arnold, me, and my team regarding the Laetitia project. I am especially pleased that we were able to come up with a solution to the Laetitia Vineyard Drive access that is to the satisfaction of Caltrans and Cal Fire. As stated during the meeting, Cal Fire will provide us with a letter outlining the specific conditions that relate to access. I will forward that letter to you, and kindly request a written confirmation that these conditions are amenable to you, and that Caltrans has no further objections to the development of the project.

During our meeting, but unrelated to the Laetitia project, we also discussed Caltrans' strong interest to pursue the eventual construction of a frontage road along the Laetitia boundary line. As good neighbors in the community, please consider this letter as Laetitia's commitment to work cooperatively with your agency to fulfill the intent of the 1955 grant deed.

Sincerely,

  
John C. Janneck  
Managing Partner

cc: Supervisor Debbie Arnold



Mike McClure  
235 Cimarron Way  
Arroyo Grande, CA 93420

June 9, 2016

Brian Pedrotti, Project Manager  
County Planning Department  
976 Osos St., Room 300  
San Luis Obispo, Ca 93408-2040



Dear Mr. Pedrotti,

The purpose of this letter is to voice my continuing concerns regarding the Laetitia Agricultural Cluster. I own two contiguous parcels (090 042 001 and 002) that are adjacent to Los Berros Creek in the Berros flat area in the "dip" East of Hwy. 101 and therefore adjacent to the Laetitia project. My property has prime soils and historically has been used for organic vegetables and berries. As mentioned in my previous letter to you dated August 5, 2013 our primary concern at that time was the location of the project's wastewater treatment facility. While this is still a concern it is not the focus of this letter.

Since then Laetitia's excessive pumping has not only dried up Los Berros Creek but also two of my wells and in particular my ag well which had been very productive since drilled in 1987. This has forced me to procure a 20,000 gallon tank with diesel pump and have up to five tank loads of water trucked in every day in order to irrigate my crops. This trucking of water aroused concern from citizens and was widely reported with pictures in the local papers and thru email.

According to Title 22, Chapter 22.22 of the SLO County Subdivision Design Standards, Section 22.22.150 required findings necessary to approve an agricultural Cluster include; *(6)d. the water resources and all necessary services are adequate to serve the proposed development as well as existing and proposed agricultural operations on the subject site and in the site vicinity (emphasis added).*

CEQA Appendix G (Environmental Checklist) states that a significant water resource impact would occur if the project: *"Substantially depletes groundwater supplies or interferes substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the groundwater table (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted).*

The proposed Laetitia project certainly cannot meet the above required findings and therefore must be denied. Enclosed are copies of invoices verifying my procurement of water tank and well retrofits and hydrologist services. I am currently in queue for a new ag well to be dug by Enloe Well Drilling. Please forward a copy of this letter to each Supervisor and to Lynda Auchinachnie in the AG Commissioner's Office. Please contact me if you need any additional information. Thank you for your consideration.

Sincerely,

Mike McClure

Enclosures

# INVOICE

**BlackJack Farms**  
**P.O. Box 833**  
**Santa Maria, Ca. 93458**

**11/1/14**

Re: Well Repairs at new ranch

1	Well pump 300-350 GPM and 60 PSI (pump end only)300S400-10	\$ 5985.00
180'	4" Certa-Lok Pipe Sch 120 PVC	\$ 2875.00
180'	Flat Jacketed Sub Wire 4/4	\$ 725.00
2	4" Stainless Steel PVC To Pipe Thread Adapters	\$ 250.00
1	4" x 5" Stainless Steel Bell Reducer	\$ 145.00
180'	1/4" Poly Air Line, Gauge and Bracket	\$ 68.00
1	Splice Kit and Tape	\$ 36.00
1	6" FF Gasket	\$ 10.80
Parts & Materials		\$ 10094.80
Sales Tax		\$ 807.58

Labor: Check well pump, breaking suction, Attempt to pull well pump stuck, double line rig, pull pump. Pipe bad, wire bad and pump end cast iron bad, supply and install new parts and Reuse customers motor, appeared in good shape, megs good.Start and check. 8.5 Hrs

\$ 1232.50

**Total Due \$ 12134.88**

Well Info. 8" PVC Depth 194' Water Level 124' Pump Setting 180' + pump/motor  
Pumping Water Level 162'  
Pump End 40 Hp Reused Motor 50 HP

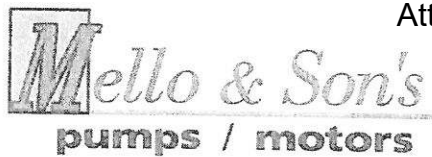
**Thank You For Allowing Me To Be Of Assistance To Your Water Needs**

**Wes Mello / Owner**

*Wes Mello*  
**Mello & Son's Pumps & Motors**  
**2773 Southview Ave.**  
**Arroyo Grande, Ca. 93420**  
**481-1286 Cell 886-8293**

*PAID IN FULL*  
*11/6/14*  
MICHAEL McCURE ck # 1094 \$10902 <sup>38</sup>  
BLACK JACK FARMS ck # 07668 \$1232 <sup>50</sup>  
\$ 12134 <sup>88</sup>

*Thank you*  
*WD*



2773 Southview Ave  
Arroyo Grande, CA.93420  
805-481-1286 886-8293  
h2owes.com Lic#725485

# Invoice

DATE	INVOICE #
4/5/2016	4181

<b>BILL TO</b>
Bob McClure 235 Cimmaron Way Arroyo Grande, Ca. 93420

<b>WELL INFORMATION</b>

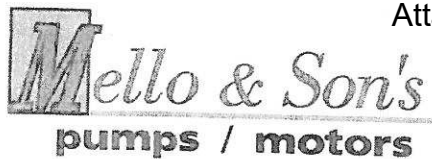
LOCATION	TERMS	CONTACT
Horse Rch	Due on receipt	Mike

QTY	DESCRIPTION	PRICE EACH	AMOUNT
1	Check booster pump, replace bad pressure switch, start and check	135.00	135.00
1	SqD pressure switch	24.80	24.80T
	Sales Tax San Luis Obispo County	8.00%	1.98

Thank you for your business.

**Total** \$161.78





2773 Southview Ave  
Arroyo Grande, CA.93420  
805-481-1286 886-8293  
h2owes.com Lic#725485

# Invoice

DATE	INVOICE #
12/11/2015	4133

## BILL TO

Bob McClure  
235 Cimmaron Way  
Arroyo Grande, Ca. 93420

## WELL INFORMATION

5" PVC well  
300' Depth  
140' Water Level  
240' Pump Setting PVC  
10S10-15 Pump

## LOCATION

Horse Rch

## TERMS

Due on receipt

## CONTACT

Mike

QTY	DESCRIPTION	PRICE EACH	AMOUNT
1	Check well pump, appears to have broken pipe,	95.00	95.00
3	Pull parted pump, replace 7 joints of old pipe, install new sch 120 PVC with stainless couplings, start and check	145.00	435.00
140	1 1/4" Sch 120 PVC with stainless couplings	2.25	315.00T
1	Pipe wrap tape	22.00	22.00T
	Sales Tax San Luis Obispo County	8.00%	26.96
Thank you for your business.		<b>Total</b>	<b>\$893.96</b>



## Attachment 3 - Correspondence Received for Board



Cleath-Harris Geologists, Inc.

71 Zaca Lane, Suite 140  
San Luis Obispo, CA 93401

(805) 543-1413

FEIN # 80-0322107

**INVOICE**

INVOICE # 20160212

INVOICE DATE: MARCH 7, 2016

BILLING PERIOD: FEBRUARY 2016

PROJECT NUMBER: 2333-1601

**TO** Mike McClure  
235 Cimarron Way  
Arroyo Grande, CA 93420

WORK DESCRIPTION	PROJECT	P.O. /CONTRACT	PAYMENT DUE DATE
Site visit, research well information.	Los Berros	Verbal	Due and payable upon receipt

PERSONNEL	HOURS	RATE	LINE TOTAL
Principal Hydrogeologist	4	\$150 / hour	\$600.00
EXPENSES	QUANTITY	UNIT RATE	LINE TOTAL
Mileage	44	\$0.55 / mile	\$24.20

**TOTAL****\$624.20**

Make all checks payable to CLEATH-HARRIS GEOLOGISTS, INC